

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MALCOLM BROOKS,

Case No.: 2:18-cv-01104-APG-BNW

Plaintiff

Order Accepting Report and Recommendation and Dismissing Case

V.

BRIAN T. MOYNIHAN, et al.,

[ECF No. 10]

Defendants

8 On December 2, 2019, Magistrate Judge Weksler recommended that I dismiss this case
9 because plaintiff Malcolm Brooks has not complied with the court’s order or taken any other
10 action in the case. ECF No. 10. Brooks did not object. Thus, I am not obligated to conduct a de
11 novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts
12 to “make a de novo determination of those portions of the report or specified proposed findings
13 to which objection is made”); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)
14 (en banc) (“the district judge must review the magistrate judge’s findings and recommendations
15 de novo *if objection is made*, but not otherwise” (emphasis in original)).

16 I THEREFORE ORDER that Magistrate Judge Weksler's report and recommendation
17 (ECF No. 10) is accepted and plaintiff Malcolm Brooks' complaint (ECF No. 1-2) is
18 DISMISSED without prejudice. The clerk of court is instructed to close this case.

DATED this 19th day of December, 2019.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE